



Acts and Laws

Passed by the Great and General Court or Assembly of His Majesty's Province of the *Massachusetts-Bay* in *New-England*: Begun and Held at *Boston* upon Wednesday the twenty-eighth Day of *May* 1755. And continued by Prorogations and Adjournment to Wednesday the twenty-second Day of *October* following.

C H A P. XIII.

An Act empowering the Province Treasurer to borrow the Sum of *Five Thousand Pounds*, and for applying the same to defrey the Charges of the intended Expedition against *Crown-Point*.

BE it enacted by the Lieutenant Governor, Council and House of Representatives, That the Treasurer of the Province be and hereby is empowered and directed to borrow of such Persons as shall be willing to lend the same, a Sum not exceeding *Five Thousand Pounds* in Spanish mill'd Dollars at *Six Shillings* each, or in other Silver at *Six Shillings and eight Pence per Ounce*; and the Sum so borrowed shall be applied by the Treasurer for the Payment of all such Draughts as shall be drawn on him by the Governor or Commander in Chief for the Time being, by and with the Advice of the Council, for the Service of the intended Expedition against *Crown-Point*; and for every Sum so borrowed, the Treasurer shall give a Receipt and Obligation in the Form following, *viz.*

Treasurer
empowered
to borrow
L. 5000.

Province of the Massachusetts-Bay,
The Day of *July* 1755, Form of
Received of the Sum of for the Use and Service Receipt.
of the Province of the Massachusetts-Bay; and in Behalf of said Province I
do hereby Promise and Oblige myself and Successors in the Office of Treasurer, to
Repay the said or Order, on or before the first Day of June, 1757,
the aforesaid Sum of in Coined Silver of Sterling Alloy, at six Shillings
and eight Pence per Ounce, or Spanish mill'd Dollars of full Weight at six
Shillings each, with Interest annually at the Rate of Six per Cent. per Annum.

Witness my Hand, A. B. Treasurer.

[C c c]

And

1755.

Anno Regni Regis G E O R G I I, II. Vicesimo Nono.

184 Governor's Grant. Exportation of Provisions.

Tax of £ 5,
600 in 1756.

Rule for Ap-
portioning the
Tax in Case
no Tax Act
shall be a-
greed on.

And to enable the Treasurer to discharge the said Obligations:

Be it further enacted, That there be and hereby is granted to his most excellent Majesty a Tax of Five Thousand Six Hundred Pounds, to be levied on the Polls and Estates within this Province, according to such Rules as shall be ordered by the General Court of this Province at their Sessions in May One Thousand seven Hundred and fifty six.

And be it further enacted, That in Case the General Court shall not at their Sessions in May One Thousand seven Hundred and fifty six, agree and conclude upon a Tax-Act to draw into the Treasury the aforesaid Sum of Five Thousand Six Hundred Pounds, that then the Treasurer of the Province for the Time being, shall issue his Warrants directed to the Select-Men or Assessors of the several Towns and Districts in this Province, requiring them respectively to assess, levy and pay in their respective Proportions of said Sum, according to the Rates and Proportions, Rules and Directions of the last preceding Tax Act.

C H A P. XIV.

An Act for granting the Sum of Three Hundred Pounds, for the Support of His Honour the Lieutenant Governor and Commander in Chief.

BE it enacted by the Lieutenant Governor, Council and House of Representatives, That the Sum of Three Hundred Pounds, be and hereby is granted unto His most excellent Majesty, to be paid out of the publick Treasury, and to be taken out of the next Supply, to His Honour SPENCER PHIPS, Esq; Lieutenant Governor and Commander in Chief in and over his Majesty's Province of the Massachusetts-Bay, for his past Services; and further to enable him to manage the publick Affairs of the Province.

C H A P. XV.

An Act to prevent the Subjects of the French King being supplied with Provisions.

Preamble.

Persons to be appointed by the Commander in Chief for seizing French Vessels, &c.

WHEREAS it hath been represented to this Court, that a Vessel with Frenchmen on board that had lately cleared out from a Port in New-England for the West-Indies, has been in divers Harbours at or near Martha's Vineyard, with Intent (as is suspected) to procure Provisions for the French Inhabitants of Louisbourg; and as other Vessels may put into the same or other Harbours, with the same Intent:

Be it therefore enacted by the Lieutenant Governor, Council and House of Representatives, That it shall and may be lawful for the Commander in Chief of this Province, to appoint some meet Person in each Town or Place whereat Vessels may probably put in for Provisions for the Supply of the Subjects of the French King; and the several Persons so to be appointed, be and they are hereby authorized to make Seizure of all Vessels having the Subjects of the French King on board, and to cause the same to be conveyed to such Harbour or Place within the Province, as shall be most convenient for securing them; as also to apprehend and confine such Frenchmen as shall be found on board such Vessel or Vessels, and shall forthwith give Notice thereof to the Commander in Chief, for his Orders touching the same.

And be it further enacted, That every Person appointed as aforesaid to the Service aforesaid, be and they are hereby empowered to demand and take all needful Assistance in the Execution of their Office: And every Person neglecting or refusing his Assistance (upon Demand thereof made in his Majesty's

Inn-holders Recognizances.

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jefty's Name, by any or either of the Officers aforesaid, shall forfeit and pay for the Use of this Province, a Sum not exceeding *five Pounds* at the Discretion of any one or more of His Majesty's Justices of the Peace of the same County before whom the Offender or Offenders shall be convicted; and in Case of Neglect or Refusal to pay the same, such Offender or Offenders shall be punished by Imprisonment not exceeding ten Days: And every Justice of the Peace upon Complaint made of such Offence committed within the Limits of his County, is hereby authorized to hear and determine the same.

And be it further enacted, That every Person to be appointed by the Officers to be Commander in Chief for the Service aforesaid, shall (before he shall enter upon the Execution of his Trust) be under Oath (to be administred to him by a Justice of the Peace) for the faithful Performance of the same: And a To be allow'd meet Allowance shall be made to such Officer and his Assistants for their Service. Time and Trouble as the Goverour and Council shall determine; to be paid out of the Seizure (in Case any Vessel so seized should by due Process in the Law be condemned) or otherwise out of the publick Treasury.

This Act to continue and be in Force during the Continuance of an Act of this Government made and passed on the first Instant, Intituled, " An Act for preventing the Exportation of Provisions and War-like Stores out of this Province.

C H A P. XVI.

An Act for Establishing certain Recognizances entred into by Persons heretofore licenced to be Inn-holders, Taverners and Retailers.

WHEREAS in order to secure the Payment of the Duties of Excise granted upon Spirits distilled and Wine, and upon Limes, Lemmons and Oranges, to those who might Farm the same; many Persons heretofore licenced to be Inn-holders, Taverners and Retailers, have recognized with Sureties in certain Sums to such Persons as were or should be Farmers of the Duties aforesaid, without expressly naming them, or otherwise ascertaining the Recognizees, and thereupon have sold Wine, and Spirits distilled by Retail: And whereas a Doubt has arisen whether those Recognizances are effectual to enable the Farmers of the Duties aforesaid, to recover the Sums to them respectively due from the Persons so licenced, or were sufficient to justify them in selling Wine, and Spirits distilled by Retail:

Wherefore for removing such Doubts, securing to the Farmers aforesaid their just Dues, and to the Persons so licenced the Priviledge thereby intended to be granted them:

Be it enacted by the Lieutenant Goverour, Council and House of Representatives, That the Farmers of the Duties aforesaid, and also the Persons so licenced to be Inn-holders, Taverners or Retailers, shall and may avail themselves respectively of the Recognizances aforesaid, and of all Recognizances heretofore entred into in any of the Courts of General Sessions of the Peace in this Province, or before one or more Justices out of Court in Consequence of such Licence granted, in like Manner and in all Respects as they might have done, if the Persons respectively who farmed the Duties aforesaid had been therein expressly named as Recognizees; and the several Recognizances aforesaid are hereby deemed and declared to be valid and effectual for the Purposes aforesaid.

Recognizances to the Farmers of Excise to stand good.

CHAP.

C H A P. XVII.

An Act in further Addition to the Act for Limitation of Actions, and for avoiding Suits in Law where the Matter is of long standing.

Preamble.

WHÈREAS by a Law of this Province Intituled, An Act in further Addition to the Act for the Limitation of Actions, and for avoiding Suits at Law where the Matter is of long standing ; made and pass'd in the twenty seventh Year of his present Majesty's Reign, the Time limited for commencing all Actions of Account and upon the Case, excepting such as are excepted in another Act Intituled, An Act in Addition to and for the Explanation of an Act Intituled An Act for the Limitation of Actions, and avoiding Suits at Law where the Matter is of long standing ; made and pass'd in the twenty second Year of his present Majesty's Reign, will expire the last Day of March next : And whereas there are great Numbers of Men now in the publick Service, who, if Debtors are by Law exempted from Arrests for any Debt less than Ten Pounds in Value, and if Creditors are by Reason of their Absence under Disadvantages for recovering their just Dues, and it is thereby become impracticable to have such Accounts and Actions settled within the Time now limited by Law for that Purpose :

Time for bringing Actions of the Case to be extended.

We it therefore enacted by the Lieutenant Governor, Council and House of Representatives, That the Time for commencing of Actions of the Case, upon Notes of Hand or upon Book Accounts, limited by the said Act of the twenty second, or by said Act made in the twenty seventh Year of his present Majesty's Reign, shall be and is hereby extended to the last Day of March, which will be in the Year of our Lord, One Thousand seven Hundred and fifty eight ; and no Suit hereafter to be brought in such Cases shall be barred, if commenced before the Expiration of said Term.

This Act to be read in Towns and Districts.

And that this Law may be more generally known : We it further enacted, That the Clerk of every Town and District within this Province, shall read or cause the same to be read in their respective Towns and Districts, at their anniversary Meetings in March and May annually ; and the Justices of the several Courts of Common Pleas within the respective Counties, shall cause the same to be publickly read at the Opening of their Courts from Time to Time after the Publication of this Act, and until the last Day of March One Thousand seven Hundred and fifty eight.

[The five foregoing Acts were Published November 5. 1755.]

BOSTON:

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